

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JANET F. WELT,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner
of Social Security¹,

Defendant.

Case No. C12-1414-MJP-BAT

**REPORT AND
RECOMMENDATION**

Janet F. Welt seeks review of the denial of [her](#) Supplemental Security Income application. Dkt. 3. The parties stipulate the case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 25.

The Court has considered the parties' stipulation and the record and recommends the case be **REVERSED** and **REMANDED** under sentence four of 42 U.S.C. § 405(g), for further administrative proceedings. On remand, the Administrative Law Judge will:

- Provide plaintiff with an opportunity for a new hearing;
- Obtain additional medical evidence;

¹ On February 14, 2013, Carolyn W. Colvin became the Acting Commissioner of Social Security. Therefore, pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is substituted for Commissioner Michael J. Astrue as the defendant in this suit.

- 1 • Further evaluate plaintiff's medical and non-medical treating and examining
- 2 sources;
- 3 • Reevaluate the medical evidence and determine plaintiff's severe impairments
- 4 consistent with the regulatory durational requirements ;
- 5 • Evaluate the credibility of plaintiff's allegations;
- 6 • Evaluate plaintiff's residual functional capacity ("RFC"); and
- 7 • If warranted, obtain medical and/or vocational testimony.

8 The parties agree that reasonable attorney fees should be awarded, upon proper
9 application, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

10 Because the parties have stipulated that the case be remanded as set forth above, the Court
11 recommends that Chief United States District Judge Marsha J. Pechman immediately approve this
12 Report and Recommendation and order the case **REVERSED** and **REMANDED** for further
13 administrative proceedings. A proposed order accompanies this Report and Recommendation.

14 DATED this 5th day of March, 2013.

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17 BRIAN A. TSUCHIDA
18 United States Magistrate Judge
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